

RECEIVED  
H.A. REGION IX

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\* See Attached List  
of Addressees

Re: The Proposed Adoption of  
\* See Attached List  
of NPDES Permits

On November 28, 1974, the Administrator of the Environmental Protection Agency (EPA) suspended the issuance of National Pollutant Discharge Elimination System (NPDES) permits in Hawaii by delegating to the State of Hawaii the authority to issue NPDES permits and enforce those permits for discharges of pollutants (except those discharges from Federal facilities and other Federal agencies) into waters under the jurisdiction of the State of Hawaii.

In compliance with the provisions of the Federal Water Pollution Control Act Amendments of 1972, Chapter 342, Hawaii Revised Statutes and in accordance with the Memorandum of Agreement between the EPA and the State of Hawaii, the Director of the Department of Health is hereby proposing to amend Chapter 37, Public Health Regulations, Department of Health, State of Hawaii and thereby adopting all permits (except those permits to Federal agencies and instrumentalities) issued, prior to the delegation of the NPDES program, by EPA, Region IX.

The Director feels that it would be in the interest of State of Hawaii to adopt EPA issued permits. The adoption of those permits would give the Director the authority to administer and enforce said permits.

Enclosed is a copy of the Notice of Public Hearing and a copy of the proposed amendment to Chapter 37 for your review.

We are inviting you and other interested parties to be present or represented at the hearing to express their views on the proposed amendment. Oral statements will be received and considered, but, for the accuracy of the record, it is encouraged that all important testimony be submitted in writing. All interested parties may also submit written comments. Written comments should be submitted no later than twenty (20) days from the date of this notice, to:

Hawaii State Department of Health  
Environmental Protection and Health  
Services Division  
1250 Punchbowl Street  
Honolulu, HI 96813

Telephone: 548-6410 or 548-6455

*Kit Armstrong*  
*File 815.4*

Should you have any questions regarding the public hearing or proposed amendment, please contact our office.

Sincerely,

A handwritten signature in purple ink, appearing to read "Shinji Soneda".

SHINJI SONEDA, CHIEF  
Environmental Protection and  
Health Services Division

AH:auc

Enclosures: Notice of Public Hearing  
Proposed Amendment to Chapter 37,  
Public Health Regulations  
Department of Health  
State of Hawaii

cc: EPA, Region IX, Permits Branch, SF (w/encl.)  
EPA, Pacific Islands Basin Office, HI (w/encl.)  
U.S. Fish & Wildlife Service, HI (w/encl.)  
COE, Honolulu Office (w/encl.)  
CG, 14th District, HI (w/encl.)  
NMFS, HI (w/encl.)

\*LIST OF ADDRESSEES

Permittee

NPDES Permit No.

Hawaiian Electric Co., Inc.  
Attn: Frank Montgomery  
Vice President  
P. O. Box 2750  
Honolulu, HI 96803

HI 0000027  
Honolulu Generating Station

Mr. Bruce D. Walker, Vice President  
Gasco, Inc.  
P. O. Box 3379  
Honolulu, HI 96801

HI 0000035  
Gasco, Inc.

Mr. C. E. Mumaw  
Vice President  
Dole Company  
P. O. Box 3380  
Honolulu, HI 96801

HI 0000043  
Dole Cannery  
Iwilei Road

Hawaiian Electric Co., Inc.  
Attn: Francis R. Montgomery  
Vice President  
P. O. Box 2750  
Honolulu, HI 96803

HI 0000019  
Kahe Power Plant

Del Monte Corporation  
Attn: Mr. J. L. Argall  
Vice President and Regional Director  
P. O. Box 149  
Honolulu, HI 96810

HI 0000051  
Del Monte Corporation

Mr. M. C. Riddle, President  
Young Brothers, Limited  
Dilmar  
P. O. Box 3288  
Honolulu, HI 96801

HI 0000060  
Young Brothers, Ltd.-Animal Barge

Pioneer Mill Company  
Attn: Mr. J. W. Siemer  
President  
P. O. Box 727  
Lahaina, Maui, HI 96761

HI 0000078  
Pioneer Mill Company

Kekaha Sugar Company, Ltd.  
Attn: Mr. W. J. Baldwin, President  
P. O. Box AA  
Kekaha, Kauai, HI 96752

HI 0000086  
Kekaha Sugar Company, Ltd.

Maui Electric Company, Ltd.  
Attn: Mr. C. C. Murdoch  
P. O. Box 397  
Kahului, Maui, HI 96732

HI 0000094  
Kahului Generating Station

Wailuku Sugar Company  
Attn: Mr. D. J. Martin  
Vice President and Manager

HI 0000108  
Wailuku Sugar Company-Wailuku

Olokele Sugar Company, Ltd.  
Attn: Mr. Richard F. Cameron, Manager  
P. O. Box 156  
Kaumakani, Kauai, HI 96747

HI 0000116  
Olokele Sugar Company-Kaumakani

The Lihue Plantation Co., Ltd.  
Attn: Mr. D. W. Ballie, Jr.  
Executive Vice President  
P. O. Box 751  
Lihue, Kauai, HI 96766

HI 0000124  
Lihue Plantation Co., Ltd.-Factory

HC&D, Ltd.  
Attn: Mr. Edgar H. Curtis  
General Manager, Engineering  
P. O. Box 190  
Honolulu, HI 96810

HI 0000132  
HC&D, Middle Street Facility

Laupahoehoe Sugar Company, a  
Subsidiary of Theo. H. Davies  
& Co., Ltd.  
Attn: Mr. F. S. Morgan, President  
P. O. Box 3020  
Honolulu, HI 96802

HI 0000159  
Laupahoehoe Sugar Company-Ookala Mill

Kohala Sugar Corporation  
Attn: Mr. Alvan C. Stearns  
Vice President and Manager  
Sugar Division  
Hawi, HI 96719

HI 0000167  
Kohala Sugar Company, Hawi

Hilo Coast Processing Company  
Attn: Mr. William Kenda, President  
P. O. Box 18  
Pepeekeo, HI 96783

HI 0000191  
HCPC, Pepeekeo Mill

Hilo Coast Processing Company  
Attn: Mr. William Kenda, President  
P. O. Box 18  
Pepeekeo, HI 96783

HI 0000221  
HCPC, Wainaku Mill

Waialua Sugar Company, Inc.  
Attn: Mr. W. W. Paty, Jr.  
Vice President & Manager  
P. O. Box 665  
Waialua, HI 96791

HI 0000230  
Waialua Sugar Co., Inc.

Hilo Coast Processing Company  
Attn: Mr. William Kenda, President  
P. O. Box 18  
Pepeekeo, HI 96783

HI 0000248  
HCPC, Papaikou Mill

Honokaa Sugar Company, a Subsidiary  
of Theo H. Davies & Co., Ltd.  
Attn: Mr. F. S. Morgan, President  
P. O. Box 3020  
Honolulu, HI 96802

HI 0000256  
Honokaa Sugar Company, Haina

Hilo Electric Light Company, Ltd.  
Attn: Mr. William MacKenzie, President  
P. O. Box 1027  
Hilo, HI 96720

HI 0000264  
Shipman Generating Station

California and Hawaiian Sugar Company  
Attn: Mr. Harold M. Lauritzen, Manager  
P. O. Box 308  
Aiea, HI 96701

HI 0000281  
California and Hawaiian Sugar Co., Aiea

Gaspr0, Incorporated  
Attn: Mr. L. H. Bingham, President  
P. O. Box 2454  
2305 Kam Highway  
Honolulu, HI 96804

HI 0000299  
Gaspr0-KalihiStream Acetylene Manufacture

University of Hawaii  
Attn: Vice President for Business Affairs  
2444 Dole Street  
Honolulu, HI 96822

HI 0000345  
University of Hawaii, Kewalo Laboratory for  
Marine Biology

Citizens Utilities Company, Kauai  
Electric Division  
Attn: Mr. J. V. Little, Vice President  
P. O. Box 278  
Eleele, Kauai, HI 96705

HI 0000353  
Citizens Utilities Co., Kauai Electric  
Division, Port Allen Generating Facility

McBryde Sugar Company  
Attn: Mr. Philip F. Conrad  
Vice President and Manager  
P. O. Box 8  
Eleele, Kauai, HI 96705

HI 0000361  
McBryde Sugar Company, Ltd.-Eleele

Hawaii Dept. of Land and Natural  
Resources, Division of Fish & Game  
Attn: Mr. Sunao Kido, Chairman  
P. O. Box 621  
1179 Punchbowl Street  
Honolulu, HI 96813

HI 0000370  
Anuenue Fisheries Research Center,  
Area 4, Sand Island

Hawaiian Tuna Packers  
Attn: Mr. Jay O. Puffinburger  
General Manager  
P. O. Box 238  
Honolulu, HI 96809

HI 0000469  
Bumble Bee Seafoods, dba  
Hawaiian Tuna Packers

Maui Land & Pineapple Co., Inc.  
Attn: Mr. J. W. Hartley, Jr  
Vice President/Operations  
P. O. Box 187  
Kahului, Maui, HI 96732

HI 0000523  
Maui Land and Pineapple Co., Inc., Kahului

Mr. O. G. Jespersen, Chief Engineer  
Carnation Co., World Headquarters  
5045 Wilshire Boulevard  
Los Angeles, CA 90036

HI 0000531  
Carnation Co.-Albers Milling Division,  
701 N. Nimitz Hwy., Honolulu, HI

Kaiser Cement & Gypsum Corporation  
Attn: Mr. James Gifford  
Waianae Plant Manager  
P. O. Box 2072  
Nanakuli, Oahu, HI 96792

HI 0000540  
Kaiser Cement and Gypsum Corp.-Honolulu  
Distribution Facility

Mr. Tetsuo Nihei, Division Manager  
Lone Star Industries, Inc.  
Pacific Region  
P. O. Box 4466  
Honolulu, HI 96813

HI 0000558  
Lone Star Industries-Halawa Batch Plant

Shell Oil Company  
Attn: Mr. H. C. Mehlberg  
Honolulu Plant Manager  
P. O. Box 3173  
Honolulu, HI 96801

HI 0000582  
Shell Oil Company-Honolulu Marketing  
Distribution Plant

Hawaiian Electric Co., Inc.  
Attn: Frank Montgomery, Vice President  
P. O. Box 2750  
Honolulu, HI 96803

HI 0000604  
Waiau Power Plant

Hawaii State Dept. of Public Health  
Attn: George Yuen, Director  
1250 Punchbowl Street  
Honolulu, HI 96813

HI 0000612  
Samuel Mahelona Memorial Hospital  
Kapaa, Kauai

Phillips Petroleum Co.  
Attn: Clifford A. Sousa, Manager  
Marketing Operations  
P. O. Box 500  
Honolulu, HI 96809

HI 0000663  
Phillips Petroleum Co.-Honolulu Sales  
Terminal

Mr. M. C. Riddle, President  
Young Brothers, Ltd.  
Dilmar  
P. O. Box 3288  
Honolulu, HI 96801

HI 0000698  
Young Brothers, Ltd.,-Vehicle Service  
& Repair Operation (Vehicle Wash Water)

Mr. M. C. Riddle, President  
Hawaiian Tug & Barge Co., Ltd.  
Dilmar  
P. O. Box 3288  
Honolulu, HI 96801

HI 0000701  
Hawaiian Tug & Barge Co. (Vehicle Wash Water)

Hawaii Welding Company, Ltd.  
Attn: Mr. Ray Fuhrmann  
President and General Manager  
2308 Pahounui Drive  
Honolulu, HI 96819

HI 0000710  
Hawaii Welding Co., Ltd.-Air Compressor-  
Cooling Water Operation

The Lihue Plantation Co., Ltd.  
Attn: Mr. D. W. Ballie, Jr.  
Executive Vice President  
P. O. Box 751  
Lihue, Kauai, HI 96766

HI 0000736  
The Lihue Plantation Co., Ltd.-Kealia Camp

Mr. Richard E. Bell, Manager  
Environmental Department  
Hawaiian Electric Co.  
P. O. Box 2750  
Honolulu, HI 96805

HI 0000752  
Hawaiian Electric Light Co. Inc.  
Light Company, Inc., Puueo Generating Station

Waiakea Resort Village & The  
Marketplace  
Attn: Ms. Mitz Johnston  
General Manager  
400 Hualani Street  
Hilo, HI 96720

HI 0020231  
Waiakea Resort Village and the Marketplace

Yacht Harbor Towers  
Attn: Mr. Robert C. Measel, Engineer  
1600-1650 Ala Moana Boulevard  
Honolulu, HI 96815

HI 0020346  
Yacht Harbor Towers

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020001  
City & County of Honolulu  
Ahuimanu Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020010  
City & County of Honolulu  
Pohakupu Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020028  
City & County of Honolulu  
Maunawili Park Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020036  
City & County of Honolulu  
Maunawili Estates Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020044  
City & County of Honolulu  
Kukanono Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020095  
City & County of Honolulu  
Whitmore Village Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020109  
City & County of Honolulu  
Waianae Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020125  
City & County of Honolulu  
Wahiawa Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020141  
City & County of Honolulu  
Kailua Sewage Treatment Plant

Mr. Kazu Hayashida  
Director and Chief Engineer  
Department of Public Works  
City & County of Honolulu  
Honolulu Hale  
Honolulu, HI 96813

HI 0020150  
City & County of Honolulu  
Kaneohe Sewage Treatment Plant

Mr. Wayne Uemae  
Director of Public Works  
County of Maui  
200 S. High Street  
Wailuku, Maui, HI 96793

HI 0020184  
County of Maui, Lahaina Outfall

Mr. Wayne Uemae  
Director of Public Works  
County of Maui  
200 S. High Street  
Wailuku, Maui, HI 96793

HI 0020192  
County of Maui, Paia Outfall



Mr. Wayne Uemae  
Director of Public Works  
County of Maui  
200 S. High Street  
Waialuku, Maui, HI 96793

HI 0020206  
County of Maui, Wailuku Ocean Outfall

Mr. Wayne Uemae  
Director of Public Works  
County of Maui  
200 S. High Street  
Wailuku, Maui, HI 96793

HI 0020214  
County of Maui, Kahului Ocean Outfall

Mr. Akira Fujita, County Engineer  
County of Kauai  
Department of Public Works  
P. O. Box 111  
Lihue, Kauai, HI 96766

HI 0020257  
County of Kauai, Wailua Sewage Treatment Plant

Mr. Akira Fujita, County Engineer  
County of Kauai  
Department of Public Works  
P. O. Box 111  
Lihue, Kauai, HI 96766

HI 0020265  
County of Kauai, Port Allen Outfall

Hawaii-Kai Community Services Co.  
Attn: Mr. Robert S. Dumper  
Vice President  
P. O. Box 7534  
Honolulu, HI 96825

HI 0020303  
Hawaii-Kai Sewage Treatment Plant

~~Mauna Kea Sugar Co., Inc.~~  
~~Attn: Mr. H. M. Gomez~~  
~~Vice President and Manager~~  
~~P. O. Box 68~~  
~~Papaikou, HI 96781~~

~~HI 0020397~~  
~~Meistert Village~~

~~Mauna Kea Sugar Company, Inc.~~  
~~Attn: Mr. H. M. Gomez~~  
~~Vice President and Manager~~  
~~P. O. Box 68~~  
~~Papaikou, HI 96781~~

~~HI 0020435~~  
~~Hakalan Lower Village~~

~~State of Hawaii~~  
~~Department of Transportation~~  
~~Attn: Mr. Owen Miyamoto, Chief~~  
~~Airports Division~~  
~~Honolulu International Airport~~  
~~Honolulu, HI 96819~~

~~HI 0020451~~  
~~Ahua Point Pump House, Keahi Lagoon~~

GEORGE R. ARIYOSHI  
GOVERNOR OF HAWAII



GEORGE A. L. YUEN  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. BOX 3378  
HONOLULU, HAWAII 96801

NOTICE OF PUBLIC HEARING

DEPARTMENT OF HEALTH  
STATE OF HAWAII  
WATER POLLUTION CONTROL  
(Docket No. R-89-75)

March 14, 1975

Pursuant to Chapter 342 and 91, Hawaii Revised Statutes, and the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500, notice is given that the State Department of Health, will hold public hearings (date, time and location indicated below) to consider an amendment to Public Health Regulations, Chapter 37, Water Pollution Control. The proposed amendment would adopt the permits (except permits to agencies and instrumentalities of the Federal Government) issued under the National Pollutant Discharge Elimination System (NPDES) by the U.S. Environmental Protection Agency (EPA), Region IX. The proposed amendment would comply with Section IX of the Memorandum of Agreement between the Regional Administrator of Region IX and the Director of the Hawaii Department of Health. The proposed amendment would give the Director of Health the authority to administer those permits issued by EPA.

Hearings will be held on the various major islands in accordance with the following schedule:

- Maui: Monday, April 14, 1975, beginning at 2:00 p.m. in the Conference Room, Third Floor, State Office Building, 54 High Street, Wailuku, Maui, Hawaii
- Hawaii: Tuesday, April 15, 1975, beginning at 1:30 p.m. in the Conference Room, First Floor, State Office Building, 75 Aupuni Street, Hilo, Hawaii
- Kauai: Thursday, April 17, 1975, beginning at 1:30 p.m. in the Kauai War Memorial Convention Hall, Lihue, Kauai
- Oahu: Monday, April 21, 1975, beginning at 1:30 p.m. in the Board Room, 3rd Floor, Kinau Hale, 1250 Punchbowl Street, Honolulu, Hawaii

All interested parties are invited to be present or represented at the hearing to express their views on the proposed amendment. Oral statements will be received and considered, but, for the accuracy of the record, it is encouraged that all important testimony be submitted in writing. All interested parties may also submit written comments. Written comments should be submitted no later than twenty (20) days from the date of this notice, to the Hawaii State Department of Health, Environmental Protection and Health Services Division.

Hawaii State Department of Health  
Environmental Protection and Health  
Services Division  
1250 Punchbowl Street  
Honolulu, HI 96813  
Telephone: 548-6410 or 548-6455

District Health Office  
Department of Health  
75 Aupuni Street  
Hilo, HI 96720  
Telephone: 961-7371

District Health Office  
Department of Health  
54 High Street  
Wailuku, Maui, HI 96793  
Telephone: 244-4228

District Health Office  
Department of Health  
3040 Umi Street  
Lihue, Kauai, HI 96766  
Telephone: 245-4323

Further information may be obtained by contacting the State Department of Health at the addresses and telephone number indicated above. The proposed amendment and other pertinent information are on file and may also be inspected and copied at the State Department of Health and/or the District Health Offices at the locations indicated above. Please bring the foregoing notice to the attention of all persons whom you know would be interested in this matter.

GEORGE YUEN  
Director of Health

PUBLIC HEALTH REGULATIONS  
DEPARTMENT OF HEALTH, STATE OF HAWAII  
AMENDMENT TO CHAPTER 37  
WATER POLLUTION CONTROL

Under and by virtue of the provisions of Chapter 342, Hawaii Revised Statutes, and the Federal Water Pollution Control Act Amendments of 1972, PL92-500, and all other applicable laws, the following provisions of Chapter 37 of the Public Health Regulations, Department of Health, State of Hawaii, relating to Water Pollution Control are hereby amended:

1. The following provision shall be added to read as follows:

"Section 33. ADOPTION OF PERMITS PREVIOUSLY ISSUED BY EPA

Pursuant to Section 402 of the Act, the State of Hawaii was authorized by the Administrator on November 28, 1974, to administer the NPDES Permit Program in the State and to issue permits pursuant to said program. Prior to said authorization, the Administrator had issued sixty (60) NPDES permits to Hawaii dischargers of pollutants other than the United States of America (hereinafter in this Regulation the "prior permits"). Public hearings satisfying Section 9 of these regulations were recently held on said prior permits. Said prior permits also satisfy Section 15 of these regulations since the State has recently certified each one pursuant to Section 401 of the Act.

Accordingly, all NPDES permits for discharges into waters of the State of Hawaii issued by the Administrator pursuant to the Act (prior permits) and in existence on the effective date of this regulation shall be continued and shall be deemed NPDES permits issued pursuant to these regulations provided that this regulation shall not apply to NPDES permits issued by the Administrator to agencies and instrumentalities of the Federal government. The Director shall be substituted in place of the Administrator as to those rights and duties

specified in the prior permits unless the permits specify that a right or duty is owed to, or exists in favor of, both the Director and the Administrator.

Section /33/ 34. PENALTIES

Any person who violates the provisions of this Chapter or the terms and conditions of any permit issued pursuant to this Chapter shall be liable for a penalty as provided in Chapter 342, Hawaii Revised Statutes.

Section /34/ 35. HEARINGS AND APPEALS

Hearings before the Director shall be held and appeals from any of his decisions for any violation of these regulations shall be made in accordance with Chapters 91 and 342, Hawaii Revised Statutes.

Section /35/ 36. SEVERABILITY CLAUSE

If any provision of this Chapter, or its application to any person or circumstance, is held invalid, the application of such provision to other persons, or circumstances, and the remainder of this Chapter, shall not be affected thereby.

Section /36/ 37. EFFECTIVE DATE

This Chapter shall be effective 60 days after approval by the Governor.

/All material bracketed/[ ]/ is to be deleted. All underscored material is to be added./

ENVIRONMENTAL ASSESSMENT

AMENDMENT TO PUBLIC HEALTH REGULATIONS, CHAPTER 37, WATER POLLUTION CONTROL

The proposed revisions to Chapter 37, Water Pollution Control, are administrative in nature and therefore would not have any adverse affect on the environment. The additional provision that is under consideration would provide a legal foundation in the re-issuance of National Pollutant Discharge Elimination System (NPDES) permits previously issued by the U.S. Environmental Protection Agency (EPA) for discharges (except those from agencies and instrumentalities of the Federal Government) located in the State of Hawaii.

It is in the best interest of the State of Hawaii that said regulations be amended to comply with Section IX of the Memorandum of Agreement and the intent of the Federal Water Pollution Control Act Amendments of 1972, P.L. 92-500, specifically, Section 101(f). Unless the State of Hawaii re-issues those permits (except those to agencies and instrumentalities of the Federal Government) previously issued by EPA, the primary administrative and enforcement responsibilities for said permits remain under the authority of the Regional Administrator. Our local industries, publicly owned sewage treatment works and other sources of revenue with wastewater discharges that have been issued permits by EPA, must request of and negotiate with EPA's Regional Office in San Francisco for any revision of the terms and conditions of their waste discharge permits, which shall continue in force and effect until the expiration of their term.